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**UNITED STATE DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
SEATTLE DIVISION**

APRIL PLOEGER,

Plaintiff,

v.

CREDIT COLLECTION SERVICES,

Defendant.

NO.

(Unlawful Debt Collection Practices)

**PLAINTIFF’S COMPLAINT AND DEMAND FOR JURY TRIAL**

APRIL PLOEGER (Plaintiff), through attorneys, KROHN & MOSS, LTD., alleges the following against CREDIT COLLECTION SERVICES (Defendant):

**INTRODUCTION**

1. Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, *15 U.S.C. 1692 et seq.* (FDCPA).

**JURISDICTION AND VENUE**

2. Jurisdiction of this court arises pursuant to *15 U.S.C. 1692k(d)*, which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”
3. Defendant conducts business in the state of Washington, and therefore, personal jurisdiction is established.
4. Venue is proper pursuant to *28 U.S.C. 1391(b)(2)*.

**PARTIES**

5. Plaintiff is a natural person residing in Seattle, King County Washington.

6. Plaintiff is a consumer as that term is defined by *15 U.S.C. 1692a(3)*, and according to Defendant, Plaintiff allegedly owes a debt as that term is defined by *15 U.S.C. 1692a(5)*.

7. Defendant is a debt collector as that term is defined by *15 U.S.C. 1692a(6)* and sought to collect a consumer debt from Plaintiff.

8. Defendant is a national company with a business office in Newton, Massachusetts.

9. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**FACTUAL ALLEGATIONS**

10. On August 23, 2011, Defendant placed a collection call to Plaintiff at 7:26 a.m., seeking payment for an alleged debt.

11. Defendant contacted Plaintiff on her cellular telephone while she was at work..

12. Plaintiff informed Defendant that she could not receive calls during work hours and to please stop calling.

13. Defendant continued to contact Plaintiff while she was at work despite knowing that Plaintiff could not receive telephone calls during work hours.

**COUNT I**

**DEFENDANT VIOLATED THE FAIR DEBT COLLECTION PRACTICES ACT**

14. Defendant violated the FDCPA based on the following:

a. Defendant violated §1692c(a)(1) by contacting Plaintiff before 8:00 a.m.; and

b. Defendant violated §1692c(a)(3) by repeatedly contacting Plaintiff at her place of employment even though Defendant knew that Plaintiff's employer prohibits the

1 consumer from receiving such communications.

2 WHEREFORE, Plaintiff, APRIL PLOEGER, respectfully requests judgment be entered  
3 against Defendant, CREDIT COLLECTION SERVICES, for the following:

4 15. Statutory damages of \$1,000.00 pursuant to the Fair Debt Collection Practices Act, 15

5 *U.S.C. 1692k*;

6  
7 16. Costs and reasonable attorneys' fees pursuant to the Fair Debt Collection Practices Act, 15

8 *U.S.C. 1692k*; and

9 17. Any other relief that this Honorable Court deems appropriate.

10  
11 RESPECTFULLY SUBMITTED,

12 DATED: November 14, 2011

13 By: /s/ Richard J. Symmes

14 Richard J. Symmes, Esq  
15 Symmes Law Group, PLLC  
16 1001 Fourth Avenue  
17 Suite 3200  
18 Seattle, Washington 98154  
19 Washington Bar No. 41475  
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**VERIFICATION OF COMPLAINT AND CERTIFICATION**

STATE OF WASHINGTON

Plaintiff, APRIL PLOEGER, states the following:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorneys and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it.
6. Each and every exhibit I have provided to my attorneys which has been attached to this Complaint is a true and correct copy of the original.
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated these exhibits, except that some of the attached exhibits may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, APRIL PLOEGER, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

09/06/11

Date

  
APRIL PLOEGER